

**Before the State of South Carolina  
Department of Insurance**

In the matter of:

Robert M. Gray

P.O. Box 125 (Hwy 321 South)  
Olar, South Carolina 29843

SCDI File Number 2002-111994

**Consent Order  
Imposing Administrative Penalty**

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Robert M. Gray, a licensed South Carolina resident insurance agent.

Upon review of this matter, I hereby find as fact that on or about January 17, 2002, while at the home of Karl and Ingelisa Jensen, Gray made a call to PMSI, the vendor contracted by Shenandoah Life Insurance Company to conduct telephone interviews. While impersonating the voices of Karl and Ingelisa Jensen, Gray underwent the interview process as if he was Karl and Ingelisa Jensen. Gray denies the allegations, but has decided to accept this action as a means of resolution. Gray's actions, as alleged, can ultimately lead to the revocation of his license to transact the business of insurance as an agent in South Carolina following a public hearing at the Administrative Law Judge Division pursuant to S.C. Code Ann. § 38-43-130 (Supp.2001).

Prior to the initiation of any administrative proceedings against him, Gray and the Department agreed to submit the entire matter to me, along with their specific recommendation, for my summary decision, rather than to proceed toward a formal public hearing. The consensual recommendation was that, in lieu of the Department seeking to revoke Gray's resident insurance agent license, he would waive his right to a public hearing and immediately pay an administrative fine in the total amount of \$250.00.

Section § 38-43-130 states, in pertinent part, that the Director of Insurance may revoke an agent's license "when it appears that an agent...has violated this title or any regulation promulgated by the Department, or has willfully deceived or dealt unjustly with the citizens of this State." ☐

After a thorough review of the record, and pursuant to my findings of fact, I hereby conclude as a matter of law that Gray has violated the law governing licensed agents. As a result, I can now take administrative disciplinary action against his resident insurance agent license. However, under the discretionary authority provided to me within S.C. Code Ann. § 38-43-130 (Supp. 2001), and

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GENERAL COUNSEL

APR 15 2002

STATE OF SOUTH CAROLINA  
DEPARTMENT OF INSURANCE

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Robert M. Gray

after carefully considering the recommendations of the parties, I hereby impose against Gray an administrative fine in the total amount of \$250.00. Gray must pay that fine within ten days of his receipt of this consent order. If he does not timely pay that total fine amount his resident insurance agent license will be immediately revoked without any further disciplinary proceedings.

The parties have reached this agreement in consideration of the Department having never taken any administrative disciplinary action against Gray on this issue before and of his assurance that in the future he will comply with the state's insurance laws. The parties expressly agree and understand Gray's payment of the agreed-upon penalty constitutes full accord and satisfaction of this matter.

By his signature upon this consent order, Gray acknowledges that he understands that this administrative order is a public record subject to the disclosure requirements of the State of South Carolina's *Freedom of Information Act*, S.C. Code Ann. §§ 30-4-10, *et seq.* (1991 and Supp. 2001). Nothing contained within this administrative order should be construed to limit, or to deprive any person of, any private right of action under the law. Nothing contained within this administrative order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement officer or judicial officer. Nothing contained within this administrative order should be construed to limit the statutory duty of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the laws relative to the business of insurance or the provisions of this title which he considers necessary to report." S.C. Code Ann. § 38-3-110 (Supp. 2001).

It is, therefore, ordered that Robert M. Gray shall, within ten days of his receipt of this consent order, pay through the Department an administrative fine in the total amount of \$250.00.

It is further ordered that a copy of this consent order be immediately transmitted to the National Association of Insurance Commissioners for distribution to its member states and a copy be placed in Gray's licensing file.

This consent order becomes effective as of the date of my signature below.



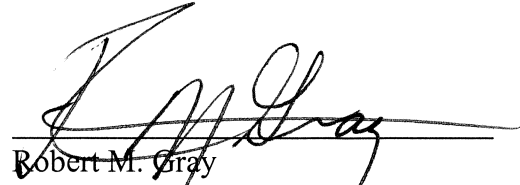
Ernst N. Csiszar  
Director

April 17, 2002, at  
Columbia, South Carolina



Robert M. Gray

I CONSENT:

A handwritten signature in black ink, appearing to read 'R. M. Gray', is written over a horizontal line.

Robert M. Gray  
P.O. Box 125 (Hwy 321 South)  
Olar, South Carolina 29843

Dated this 11<sup>th</sup> day of April, 2002